Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 914-02953-0533-058		Date: 03/16/14	Time: 0100
Location: 3038 San Gabriel Blvd		City or Station: Rosemead	
Bureau/Station/Facility: East Patrol Division / Temple Station		Admin. Investigation: ○ YES ◉ NO	
Type of Force: Personal Weapons, Resisted Handcuffing, Hobble, Control Techniques			
Incident Category: ○ 1 ○ 2 ◉ 3	Deputy Injury: ◉ YES ○ NO	Suspect Injury ◉ YES ○ NO	
☐ Call ☒ Observation ☐ Detail		☐ Foot Pursuit ☐ Vehicle Pursuit	
IAB Notified: ◉ YES ○ NO	Person Notified: Lt. Carter	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: Guzak	First Name: Charles	Middle I.: M.	Rank: Deputy	
Sex: ◉ M ○ F	Race: W	Height: 506	Weight: 160	Age: [redacted]	Shift: ◉ EM ○ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Temple Station		Work Assignment (Unit #, Module, etc.): 53T1			
Individual Force Used: Personal weapon,Control techinique,Resisted hancuffing		○ Directed ○ Rescue ○ Medical Assist		Individual Category: ○ 1 ○ 2 ◉ 3	
☒ Injured ☒ Treated ☐ Admitted	Facility: US Health Works - Irwindale			Coroner Case #	

E 2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: Deputy	
Sex: ○ M ◉ F	Race: W	Height: 504	Weight: 135	Age: [redacted]	Shift: ◉ EM ○ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Temple Station		Work Assignment (Unit #, Module, etc.): 57A			
Individual Force Used: Control technique		○ Directed ○ Rescue ○ Medical Assist		Individual Category: ○ 1 ◉ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

E 3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: Deputy	
Sex: ◉ M ○ F	Race: H	Height: 506	Weight: 165	Age: [redacted]	Shift: ◉ EM ○ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Temple Station		Work Assignment (Unit #, Module, etc.): 57A			
Individual Force Used: Control technique, Hobble		○ Directed ○ Rescue ○ Medical Assist		Individual Category: ○ 1 ◉ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

☒ Additional Involved Employees

On Duty Supervisor

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Lopez	Oscar	L.	Sgt	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Diez	Justin	R.	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Marquez	Phillip	R.	Lt.

Phillip Marquez, Lieutenant
Watch Commander / Supervising Lieutenant's **Signature:** Date Copy Provided to Employee by: Emp #:

Coronne Jacob, Captain
Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

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INVOLVED EMPLOYEE - Continuation

914 - 02953 - 0533 - 058

Involved Employee

E4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	Deputy

Sex:	Race:	Height:	Weight:	Age:	Shift:	
○ M ◉ F	H	504	125	[redacted]	◉ EM ○ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Temple Station	55H

Individual Force Used:		Individual Category
Control Technique	○ Directed ○ Rescue ○ Medical Assist	○ 1 ◉ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ | Coroner Case #

E5

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	Deputy

Sex:	Race:	Height:	Weight:	Age:	Shift:	
◉ M ○ F	W	510	175	[redacted]	◉ EM ○ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Temple Station	55F

Individual Force Used:		Individual Category
Control Technique	○ Directed ○ Rescue ○ Medical Assist	○ 1 ◉ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ | Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ | Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ | Coroner Case #

E__

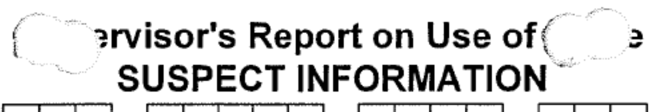
Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ | Coroner Case #



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SUSPECT INFORMATION

9 1 4 - 0 2 9 5 3 - 0 5 3 3 - 0 5 8

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Bermudez	Kerin	Philys	Not Armed

AKA Last Name | First Name | Middle Name

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Ph[redacted] ○ C	Phone #2: ○ H ○ W ○ C
◉ Male ○ Female	H	20	504	130	01/19/94		

Street Address: [redacted] City: [redacted] State & Z[redacted]

Booking #: 3895628 Primary Charge Code: 245(c) PC Secondary Charge Code: 11357(a) HS ☐ Criminal History

Treated on Scene? ◉ YES ○ NO Name: LA County Fire Unit: En 4 / Sq 90 Phone #: 626-280-1833

Hospital Admission? ☒ Rec'd Treatment At: San Gabriel Hospital Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Doctor Thomas Pero Address: 438 W. Las Tunas Dr., San Gabriel Phone #: 626-289-5454

Under Influence: ◉ YES ○ NO Substance: Marijuana 5150 a factor in force? ○ YES ◉ NO User's guide provides direction on this entry

Suspect Interview

Date: 03/16/14 Time: 0215 ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name | Armed? Select

AKA Last Name | First Name | Middle Name

Sex: ○ Male ○ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name | Armed? Select

AKA Last Name | First Name | Middle Name

Sex: ○ Male ○ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

[illegible]ervisor's Report on Use of [illegible]e
EMPLOYEE / NON-EMPLOYEE INFORMATION

914 - 02953 - 0533 - 058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	69	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	45	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

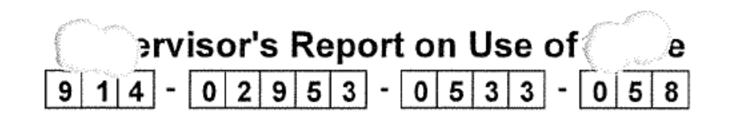
Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**



Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Suspect Bermudez	S#1	Deputy Guzak	E#1	UC		
Deputy Guzak	E#1	Suspect Bermudez	S#1	RH		
Suspect Bermudez	S#1	Deputy Guzak	E#1	RS		
Deputy Guzak	E#1	Suspect Bermudez	S#1	CT		
Suspect Bermudez	S#1	Deputy Guzak	E#1	RS		
Suspect Bermudez	S#1	Deputy Guzak	E#1	PK		
Deputy Guzak	E#1	Suspect Bermudez	S#1	PH	FR	NO
Suspect Bermudez	S#1	Deputy Guzak	E#1	RS	AB	HD
Deputy Guzak	E#1	Suspect Bermudez	S#1	PH	FR	FA
Deputy Guzak	E#1	Suspect Bermudez	S#1	CT	AB	EL
Suspect Bermudez	S#1	Deputy Guzak	E#1	RS	AB	KN
Deputy Guzak	E#1	Suspect Bermudez	S#1	CT	CP	AR
Deputy Guzak	E#1	Suspect Bermudez	S#1	RH	AB	HD
Suspect Bermudez	S#1	Deputy Guzak	E#1	RS		
Deputy Guzak	E#1	Suspect Bermudez	S#1	RH		
Suspect Bermudez	S#1	Deputy Guzak	E#1	RS		
Deputy [redacted]	E#2	Suspect Bermudez	S#1	CT		
Deputy [redacted]	E#4	Suspect Bermudez	S#1	CT		
Deputy Guzak	E#1	Suspect Bermudez	S#1	CT		
Deputy [redacted]	E#3	Suspect Bermudez	S#1	HB		
Deputy [redacted]	E#5	Suspect Bermudez	S#1	CT		
Suspect Bermudez	S#1	Deputy Guzak	E#1	PK		
Deputy Guzak	E#1	Suspect Bermudez	S#1	HB		

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

UNIT: Temple Station
DATE: March 16, 2014
TIME: 0100 hours
LOCATION: 3038 San Gabriel Boulevard, Rosemead 91770
URN#: 914-02953-0533-058
IAB#: FO2352041

NATURE OF INCIDENT:

On-call Internal Affairs Bureau personnel assumed the handle on a use of force investigation wherein Suspect Bermudez sustained several facial fractures while being taken into custody by Deputy Guzak. The subsequent medical examination determined Suspect Bermudez had fractures to his left eye, left jaw, and nose.

On March 16, 2014, at 0100 hours, Deputy Guzak (unit #53T1) conducted a [redacted] on a 2008 Kia Spectra driven by [redacted] While seated inside his patrol vehicle completing a [redacted] a 2004 Toyota Rav 4 stopped and parked on the street in front of the Kia Spectra he was detaining. Suspect Bermudez exited the Toyota Rav 4 and approached Deputy Guzak on the driver's side of his patrol vehicle, and asked for help. Deputy Guzak directed Suspect Bermudez out of the street and onto the sidewalk. Suspect Bermudez refused and stated, "They're out to get me, someone is after me." Deputy Guzak did not know if Suspect Bermudez was under the influence, mentally ill, or if someone was actually chasing him.

Deputy Guzak exited his patrol vehicle and asked Suspect Bermudez if he had any weapons or identification. Suspect Bermudez replied, "They're gonna get me." Deputy Guzak conducted a pat down search for weapons. He told Suspect Bermudez he would be safe inside the patrol vehicle and no one would harm him. Deputy Guzak escorted Suspect Bermudez into the rear driver's side seat of his patrol vehicle. Deputy Guzak released [redacted] with a [redacted] (refer to [redacted] **Exhibit A**) and he drove away.

Deputy Guzak returned to his patrol vehicle and repositioned it directly behind Suspect Bermudez' vehicle. Suspect Bermudez began yelling and banging the rear window of the patrol vehicle. Deputy Guzak asked Suspect Bermudez to stop hitting the window, at which time he complied and apologized to Deputy Guzak. Again, Suspect Bermudez started yelling and hitting the rear window. Suspect Bermudez told Deputy Guzak that he had taken "shrooms" (referring to the hallucinogen mushrooms). Deputy Guzak exited his patrol vehicle and told Suspect Bermudez to stop banging on the window.

Again, Suspect Bermudez complied and apologized. Upon doing so, Deputy Guzak believed Suspect Bermudez was cooperative and not a threat. However, due to Suspect Bermudez stating he had taken "shrooms", Deputy Guzak told him he would feel more comfortable speaking with him while handcuffed. Suspect Bermudez agreed to be handcuffed.

Deputy Guzak instructed Suspect Bermudez to position his feet on the passenger side seat and to lean forward with his hands behind his back. While holding his handcuffs in his right hand, Deputy Guzak leaned into the patrol vehicle to handcuff Suspect Bermudez. Upon doing so, Suspect Bermudez used his legs to push off the seat into Deputy Guzak's body, and simultaneously pulled his hands away. Deputy Guzak attempted to close the door of the patrol vehicle, however he was unsuccessful due to the position of Suspect Bermudez' body. Deputy Guzak ordered Suspect Bermudez to stop, and positioned his hand on Suspect Bermudez' back to prevent him from exiting the vehicle. While doing so, Deputy Guzak was unable to call for back-up. Deputy Guzak ordered Suspect Bermudez to place his hands behind his back to which he complied. However, as Deputy Guzak attempted to secure his handcuffs on Suspect Bermudez' left wrist he pulled away, turned toward his left, and positioned his body facing Deputy Guzak. Suspect Bermudez kicked Deputy Guzak seven or eight times in the upper torso using both his feet. The microphone of Deputy Guzak's handheld radio detached from his shirt and fell to the ground. While still holding his handcuffs, Deputy Guzak hit Suspect Bermudez in the face two or three times with his right fist.

IAB Note: Deputy Guzak held the chain of the handcuff in the palm/middle of his hand, with his right index finger and right pinky finger supporting the frame. The ratchet/teeth portion of the handcuff was closed and positioned forward.

Suspect Bermudez grabbed the door jamb and pulled himself further out of the vehicle with both feet on the ground, and stood in a crouched position. Deputy Guzak hit him in the face three or four times with his right fist. While hitting Suspect Guzak in the face, Deputy Guzak was still holding his handcuffs. Suspect Bermudez fell to the ground at which time his face hit the concrete. He rolled onto his back and Deputy Guzak straddled him on the ground. Suspect Bermudez attempted to get off the ground by pushing himself up with his arms and elbows. Deputy Guzak retrieved his microphone off the ground and broadcast that he was involved in a fight. Deputy Guzak dropped his microphone, grabbed Suspect Bermudez' right shoulder, and rolled him over on his left side, face down. Deputy Guzak secured his handcuff on Suspect Bermudez' left wrist. While doing so, Suspect Bermudez pushed himself up with his right hand. Deputy Guzak grabbed his right wrist and was able to secure the remaining handcuff. While on the ground Suspect Bermudez continued to struggle by attempting to push his body off the ground and kick his feet back and forth.

Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] (unit 57A), and Deputy [redacted] #[redacted] (unit #55H) arrived at the scene. Deputy [redacted] positioned both her hands on Suspect Bermudez' upper torso/back area in an attempt to hold him down to the ground. Deputy [redacted] positioned her right hand on Suspect Bermudez' head. Deputy Guzak placed his knee on Suspect Bermudez' lower back. Deputy [redacted] placed his hobble around Suspect Bermudez' ankles to stop him from kicking.

Deputy Guzak grabbed Suspect Bermudez' left arm, Deputy [redacted] grabbed his right arm, and Deputies [redacted] and [redacted] grabbed his feet. They picked Suspect Bermudez off the ground. While doing so, Deputy [redacted] #[redacted] (unit #55F) arrived at the scene and opened the rear passenger door of the patrol vehicle. They placed Suspect Bermudez inside the rear driver's side door of the patrol vehicle, positioned head first and face down. Suspect Bermudez continued resisting by moving his upper torso and legs back and forth. Deputy [redacted] grabbed Suspect Bermudez' right bicep, pulled him into the vehicle, and closed the passenger side door. Deputy [redacted] released his grasp of the hobble and the tail end was never fed through the rear driver's side door before closing it. Suspect Bermudez continued kicking his feet causing the hobble to fall off his legs. Deputy Guzak opened the rear driver's side door, grabbed Suspect Bermudez' legs, reapplied the hobble to his legs, and closed the door.

Deputy Ramon Chavez #[redacted] and [redacted] #[redacted] (unit #51) searched Suspect Bermudez' vehicle and located concentrated cannabis inside. Suspect Bermudez was arrested for Assault with a Deadly Weapon on a Peace Officer (245(c) PC), Possession of Concentrated Cannabis (11357(a) HS), Driving Under the Influence of Drugs (23153(a) CVC), and Driving on a Suspended License (14601.1(a) CVC).

Deputy Guzak completed an incident report detailing the incident and his use of force. Deputies [redacted] and [redacted] completed supplemental reports documenting their use of force. In addition, Deputy [redacted] completed a supplemental report regarding his actions (searching the vehicle), and Detective Craig Johnson #[redacted] completed a supplemental report regarding his follow-up investigation. The incident report, citation, CHP-180, supplemental reports, and booking packet are included with this case (refer to **Exhibit A**).

INVOLVED PERSONNEL:

Guzak, Charles - Deputy, #[redacted]
Temple Station
Unit # 53T1
East Patrol Division

Date of Employment: 03-06-97
Date Assigned to TEM: 10-07-07
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Deputy #[redacted]
Temple Station
Unit # 57A

East Patrol Division
Date of Employment: 01-17-06
Date Assigned to TEM: 04-01-12
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Deputy #[redacted]
Temple Station
Unit # 57A
East Patrol Division

Date of Employment: 04-12-06
Date Assigned to TEM: 02-23-14
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Deputy #[redacted]
Temple Station
Unit # 55H
East Patrol Division

Date of Employment: 12-04-06
Date Assigned to TEM: 06-01-14
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Deputy #[redacted]
Temple Station
Unit # 55F
East Patrol Division

Date of Employment: 12-06-06
Date Assigned to TEM: 08-11-13
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

INVOLVED SUBJECT:

Kerin Bermudez: MH/20, Booking #3895628
DOB: 01-19-1994
Address: [redacted]
Booking Charge: 245(c) PC (Assault with a Deadly Weapon on a Peace Officer), 11357(a) HS (Possession of Concentrated Cannabis), 23152(a) CVC (DUI), and 14601.1(a) CVC (Driving on a Suspended License). DA Case # 4RI00987
Criminal History: [redacted]

His Consolidated Criminal History Report System (CCHRS) printout is included with this case (refer to **Exhibit B**).

WITNESSES:

[redacted] **FW/**[redacted]

On March 19, 2014, Sergeant Carrizosa conducted a telephone interview with Witness [redacted] The interview was digitally recorded. The following is a summary of the interview.

Witness [redacted] said she was driving her vehicle northbound San Gabriel Boulevard and saw the incident. She felt the officer (referring to Deputy Guzak) needed assistance because he had somebody pinned down on the floor. They were both near traffic and she feared they would get hit by a car. Suspect Bermudez was on his back swinging his arms away from Deputy Guzak. He was trying to avoid getting handcuffed. Lastly, Witness [redacted] said she observed the incident for approximately six seconds as she drove by in her vehicle. After doing so, she passed the incident, pulled over, and called San Gabriel Police Department.

For Witness [redacted] verbatim interview, see her transcribed interview which is included with this case.

[redacted] **MO/**[redacted]

On March 16, 2014, Sergeant Carrizosa and Sergeant Diez interviewed Witness [redacted] at [redacted] ("[redacted]). The interview was digitally recorded. The following is a summary of the interview.

Witness [redacted] is the [redacted] of the [redacted] He heard someone yelling outside and looked out his east window toward San Gabriel Boulevard. Witness [redacted] saw deputies handcuffing someone (referring to Suspect Bermudez) on the ground. He could hear Suspect Bermudez yelling. However, Witness [redacted] did not know what he was saying.

Witness [redacted] did not hear the deputies yelling. Witness [redacted] said from his view, he could not see the incident clearly. However, he could see the deputy trying to handcuff Suspect Bermudez. Witness [redacted] said he looked out his window for three or four minutes until the other deputies arrived. He did not see or hear anything further.

For Witness [redacted] verbatim interview, see his transcribed interview which is included with this case.

[redacted] MH [redacted]

Sergeant Diez identified Mr. [redacted] as a potential witness to the incident. Mr. [redacted] was being [redacted] by Deputy Guzak prior to the use of force. On July 14, 2014, Sergeant Diez sent him a Witness Contact Letter via certified US mail (refer to **Miscellaneous Documents**). However, Mr. [redacted] did not contact Sergeant Diez for an interview.

San Gabriel PD Lieutenant [redacted]

On March 16, 2014, Sergeant Diez and Sergeant Carrizosa went to San Gabriel Police Department and spoke to Watch Commander Lieutenant [redacted] Lieutenant [redacted] stated several of his officers were dispatched and responded to the incident reported by Witness [redacted] However, Lieutenant [redacted] said upon the arrival of his officers the incident had concluded, and none of his officers witnessed any use of force.

Lieutenant [redacted] provided the San Gabriel PD call log for incident #14-04446 (refer to **Exhibit C**). Based on the log, at 0100 hours officers were dispatched to the incident. The log noted a passerby (referring to Witness [redacted] advised of a deputy rolling on the ground with an unknown subject. At 0106 hours, the incident was concluded with a "Code-4." Lastly, Lieutenant [redacted] provided the radio traffic from San Gabriel PD dispatch (refer to **Exhibit D**).

DEPUTY WITNESSES:

None

INVOLVED EMPLOYEE STATEMENTS:

Deputy Charles Guzak #[redacted]

On August 19, 2014, and September 3, 2014, Sergeant Diez interviewed Deputy Guzak at Internal Affairs Bureau. The interviews were digitally recorded and transcribed. The following is a summary of the interviews.

Deputy Guzak said he was on an unrelated [redacted] when Suspect Bermudez approached his driver's side door, and said someone was out to get him. Deputy Guzak told Suspect Bermudez that he would be safe inside his patrol vehicle. Suspect Bermudez agreed, at which time Deputy Guzak conducted a pat down search for weapons and escorted him into his patrol vehicle. At the time, Deputy Guzak did not know if Suspect Bermudez was mentally ill, under the influence, or if someone was actually chasing him. Deputy Guzak did not call for backup because Suspect Bermudez was cooperative and he did not feel threatened by him. Additionally, Deputy Guzak said he did not handcuff Suspect Bermudez before putting him into the backseat because he was cooperative, he agreed to sit in the backseat, and he was not under arrest. Furthermore, Deputy Guzak just wanted to get Suspect Bermudez out of traffic lanes.

While in the backseat, Suspect Bermudez was cooperative for two or three minutes as Deputy Guzak finished completing the [redacted] (issued to Mr. [redacted]. However, he began banging on the windows and rear screen of the patrol vehicle. Deputy Guzak told Suspect Bermudez to stop. Suspect Bermudez complied and referred to Deputy Guzak as "Sir." At that point Deputy Guzak did not call for backup because Suspect Bermudez was cooperative, kept calling him "Sir", and was following his orders. As such, Deputy Guzak did not think the situation would cause the need for backup.

Deputy Guzak said while inside the backseat, Suspect Bermudez told him he had smoked "shrooms." Because of that, combined with his behavior, Deputy Guzak decided he should handcuff Suspect Bermudez for both of their safety. Deputy Guzak told Suspect Bermudez that he wanted to handcuff him. Suspect Bermudez agreed and complied with his directions. However, as Deputy Guzak attempted to handcuff Suspect Bermudez he became paranoid, pulled his hands away, and ultimately assaulted him. Deputy Guzak said he did not call for backup prior to attempting to handcuff Suspect Bermudez because he was cooperative with him. Furthermore, Deputy Guzak said he handcuffs people all the time by himself every day, and nothing happens. He did not feel the need for backup. Suspect Bermudez was being cooperative, until the time Deputy Guzak had already committed to handcuffing him, during which time the door was open.

After being kicked by Suspect Bermudez, Deputy Guzak responded by punching him in the face. While doing so, Deputy Guzak was still holding the handcuff in his right hand, with his palm grasping the chain. Suspect Bermudez overpowered Deputy Guzak, forced his way out of the backseat, and stood next to the patrol vehicle. Again, Deputy Guzak hit Suspect Bermudez additional times in the face while still holding the chain of handcuff. Deputy Guzak said he did not know if the actual handcuff ever hit any part of Suspect Bermudez. He was not intentionally trying to hit Suspect Bermudez with the handcuffs. All his punches were with his hand, and Deputy Guzak was not even aware he was still holding the handcuffs while hitting Suspect Bermudez. Deputy Guzak never felt the handcuffs hit Suspect Bermudez. Rather, he only felt his hand hit Suspect Bermudez. He never used the handcuffs intentionally as "brass knuckles." Lastly, if the handcuff did in fact hit Suspect Bermudez, it was unintentional.

IAB Note: During the interview Deputy Guzak demonstrated how he held the handcuff during the incident. Deputy Guzak held the chain of the handcuff in the palm/middle of his hand, with his right index finger and right pinky finger supporting the frame. The ratchet/teeth portion of the handcuff was closed and positioned forward.

Deputy Guzak said when he and Suspect Bermudez fell to the ground, his (Suspect Bermudez) face hit the concrete. Deputy Guzak struggled with Suspect Bermudez on the ground while attempting to handcuff him. While doing do, Deputy Guzak picked his microphone off the ground and broadcasted that he was involved in a fight. He only recalled making one assistance request. Furthermore, Deputy Guzak did not know at the time, that he had broadcasted the wrong location. He attributed doing so, to being out of breath and tired.

After Suspect Bermudez was hobbled, Deputy Guzak and assisting units placed him into the patrol vehicle. However while doing so, Suspect Bermudez was kicking his feet which caused the hobble to come off. Deputy Guzak grabbed Suspect Bermudez feet, reapplied the hobble, tightened it, and closed the door.

Sergeant Diez presented Deputy Guzak with three ground level pictures depicting the northbound lanes of San Gabriel Boulevard where the incident occurred (refer to pictures "A" – "C", **Exhibit J**). Deputy Guzak drew a square identifying the location where his patrol vehicle was parked on San Gabriel Boulevard. In addition, he drew an "X" identifying the location where the use of force occurred (refer to Picture "A" – **Exhibit J**). The location was in the northbound number two lane just west of the parking lane. He further identified the general location of the incident and the blood on the ground from Suspect Bermudez (refer to Pictures "B" and "C" – **Exhibit J**).

IAB Note: Sergeant Diez presented the above referenced pictures (Pictures "A" – "C") to Deputy Guzak during his first interview, on August 19, 2014. However, after the interview the pictures were misplaced. As such, Sergeant Diez presented Deputy Guzak with the same pictures during the second interview, on September 4, 2014.

Deputy Guzak said he knew there was surveillance video of the incident. However, he did not review the surveillance video prior to the interview. Sergeant Diez presented Deputy Guzak the surveillance video from "[redacted]" After viewing the video, Deputy Guzak did not have anything further to add regarding the incident. Deputy Guzak was able to identify himself in the video. However, he was not able to identify his specific actions during the use of force due to the poor quality of the video.

For Deputy Guzak's verbatim interview, see his transcribed interview which is included with this case. Deputy Guzak wrote an incident report documenting his use of force.

Deputy [redacted] #[redacted]

On August 19, 2014, Sergeant Diez and Lieutenant Carter interviewed Deputy Guzak at Internal Affairs Bureau. The interview was digitally recorded and transcribed. The following is a summary of the interview.

Deputy [redacted] responded to the location and saw Suspect Bermudez lying face down. He was moving his head up and down, and from left to right. Deputy [redacted] positioned her right hand on Suspect Bermudez' head to prevent him from injuring himself or the other deputies. In addition, Deputy [redacted] grabbed Suspect Bermudez' feet. She assisted with lifting him up and placing him inside the patrol vehicle. While placing him into the patrol vehicle, Suspect Bermudez was aggressive and resisting. He was moving his torso, moving his feet, and was not still.

For Deputy [redacted] verbatim interview, see her transcribed interview which is included with this case. Deputy [redacted] wrote a supplemental report documenting her use of force.

Deputy [redacted] #[redacted]

On August 15, 2014, Sergeant Diez and Sergeant Mendoza interviewed Deputy [redacted] at Internal Affairs Bureau. The interview was digitally recorded and transcribed. The following is a summary of the interview.

Deputy [redacted] responded to the location with a [redacted] Deputy [redacted] She saw Suspect Bermudez handcuffed on the ground, lying face down on his stomach. Deputy [redacted] positioned both her hands on Suspect Bermudez' upper torso and held him down to the ground. Deputy [redacted] then grabbed Suspect Bermudez' right arm, assisted lifting him off the ground, and placed him inside the rear driver's door of the patrol vehicle.

Deputy [redacted] said she knew there was surveillance video of the incident. However, she did not review the surveillance video prior to the interview. Sergeant Diez presented Deputy [redacted] the surveillance video from "[redacted]" After viewing the video, Deputy [redacted] identified herself and Deputy [redacted] as being first to arrive at the location. However, Deputy [redacted] did not provide any further details regarding the incident due to the poor quality of the video. She was unable to determine her specific actions regarding the use of force.

For Deputy [redacted] verbatim interview, see her transcribed interview which is included with this case. Deputy [redacted] wrote a supplemental report documenting her use of force.

Deputy [redacted]#[redacted]

On August 15, 2014, Sergeant Diez and Sergeant Mendoza interviewed Deputy [redacted] at Internal Affairs Bureau. The interview was digitally recorded and transcribed. The following is a summary of the interview.

Deputy [redacted] responded to the location with his partner, Deputy [redacted]. At the time, he had been on [redacted] and was assigned to Deputy [redacted] for the day. Upon their arrival, Suspect Bermudez was handcuffed on the ground kicking his feet. When Deputy [redacted] grabbed Suspect Bermudez' feet, he stopped kicking at which time he (Deputy [redacted] applied the hobble around his ankles. Deputy [redacted] grabbed Suspect Bermudez' feet and ankles, assisted with lifting him off the ground, and placed him inside the rear driver's door of the patrol vehicle.

Deputy [redacted] said after placing Suspect Bermudez inside the patrol vehicle, the tail end of the hobble was never fed through the door before closing it. As such, the tail end of the hobble was unsecured, and loose inside the back seat of the patrol vehicle. Deputy Guzak opened the driver's side door. Deputies [redacted] and Guzak grabbed the tail end of the hobble and secured it through the closed door. Deputy [redacted] did not recall if he or Deputy Guzak grabbed the tail end of the hobble, or who secured it in the closed door.

Deputy [redacted] said he did not know there was surveillance video of the incident, and did not review it prior to the interview. Sergeant Diez presented Deputy [redacted] the surveillance video from "[redacted]" After viewing the video, Deputy [redacted] identified himself and Deputy [redacted] as being first to arrive at the location. However, Deputy [redacted] did not provide any further details regarding the incident due to the poor quality of the video. He was unable to determine his specific actions regarding the use of force.

For Deputy [redacted] verbatim interview, see his transcribed interview which is included with this case. Deputy [redacted] wrote a supplemental report documenting his use of force.

Deputy [redacted]#[redacted]

On August 15, 2014, Sergeant Diez and Sergeant Mendoza interviewed Deputy Guzak at Internal Affairs Bureau. The interview was digitally recorded and transcribed. The following is a summary of the interview.

Deputy [redacted] responded to the location and saw Suspect Bermudez handcuffed. He opened the rear passenger side door as the deputies placed Suspect Bermudez inside the rear driver's side door. He grabbed Suspect Bermudez' right bicep and pulled him into the vehicle as quick as possible. After doing so, Deputy [redacted] closed the passenger side door.

For Deputy [redacted] verbatim interview, see his transcribed interview which is included with this case. Deputy [redacted] wrote a supplemental report documenting his use of force.

SUSPECT STATEMENTS:

Kerin Bermudez, Booking #3895628

On March 16, 2014, at 0215 hours, Suspect Bermudez was interviewed at San Gabriel Valley Medical Center by Temple Station Watch Commander Lieutenant Phillip Marquez #[redacted] in the presence of Sergeant Oscar Lopez #[redacted] The interview was videotaped and a DVD with a copy of the interview is included with this case (refer to **Exhibit E**). Suspect Bermudez stated he was hallucinating at his friend's house and he realized that he had to leave. He felt like someone was chasing him and he felt crazy. Suspect Bermudez stated, "I felt like somebody was going to come shoot me, I don't know why." Suspect Bermudez said he attacked the deputy and that is why it escalated. He kicked at the door and he kicked at "everything" because he felt trapped. Suspect Bermudez said he just kept doing his thing and the guy (referring to Deputy Guzak) fucked him up.

Suspect Bermudez said he consumed an "eighth" of mushrooms. Suspect Bermudez thought someone was chasing him in his car, and Deputy Guzak was the first sheriff he saw. The deputy asked Suspect Bermudez what he was doing and put him in the back of his car. Lieutenant Marquez asked Suspect Bermudez if he remembered kicking the deputy. Suspect Bermudez said he probably did. Suspect Bermudez stated, "He was protecting himself and that's why he did this to me." Furthermore, he admitted to smoking marijuana prior to the incident. Suspect Bermudez apologized for the incident and said he was just "trippin."

For Suspect Bermudez' verbatim interview with Lieutenant Marquez, see his transcribed interview which is included with this case.

Sergeant Diez attempted to contact Suspect Bermudez regarding the incident. On August 6, 2014, a Witness Contact Letter was sent to Suspect Bermudez via certified US mail (refer to **Miscellaneous Documents**). However, Suspect Bermudez did not contact Sergeant Diez for an interview.

SUSPECT INJURIES:

During his videotaped interview with Lieutenant Marquez, Suspect Bermudez complained of pain to his left jaw, left shoulder, and right shoulder (refer to DVD, **Exhibit E**). Sergeant Diez observed several more injuries to Suspect Bermudez. He had abrasions to both his arms, hands, elbows, lips, right ear, nose, chin, and stomach. Both of Suspect Bermudez' eyes and left jaw were swollen. In addition, his left eye was bloodshot. Lastly, He had dried blood on various parts of his face, arms, and clothing (refer to pictures and CD, **Exhibit F**).

Los Angeles County Fire Engine #4 / Squad #90, under the direction of Captain Chatfield, responded to the scene and treated Suspect Bermudez for his injuries. Deputies Chavez and [redacted] transported Suspect Bermudez to San Gabriel Hospital where he

was treated by Doctor Thomas Pero (patient #[redacted]. While at the hospital Suspect Bermudez signed a consent form, to have his blood drawn (refer to incident report containing consent form and lab receipt #K581582, **Exhibit A**). He was subsequently transported to Los Angeles County Medical Center (LCMC) and booked into the jail ward.

Sergeant Diez obtained Suspect Bermudez medical records (patient #[redacted] and booking approval from LCMC (refer to **Exhibit G**). Suspect Bermudez was diagnosed with several fractures to his face. Specifically, his medical paperwork noted; "left mandible fracture" (left side of jaw), "left orbital wall fracture" (left eye socket), a "nasal fracture" (nose), and a "left subconjunctival hemorrhage" (injury to left eye). In addition, Sergeant Diez obtained Suspect Bermudez Laboratory Examination Reports from LASD Scientific Services Bureau (refer to **Exhibit G**). Suspect Bermudez BAC report concluded no presence of alcohol (0.00 % BAC). However, his toxicology report concluded Suspect Bermudez tested positive for "Cannabinoids" (chemical compound found in cannabis). Sergeant Diez spoke to Doctor Pero (San Gabriel Hospital) regarding Suspect Bermudez' injuries. Doctor Pero said Suspect Bermudez' facial injuries were consistent with blunt trauma. He was unable to render an opinion if the blunt trauma was caused by either a fist, a fall to the ground, or a handcuff used as an impact weapon.

Suspect Bermudez' medical records, booking approval, and Laboratory Examination Reports are included within this case (refer to **Exhibit G**).

DEPUTY PERSONNEL INJURIES:

Deputy Guzak was injured during the use of force, and treated at "US Health Works" (6520 N Irwindale Ave # 100, Irwindale). He sustained an abrasion (1/4 inch) to the middle knuckle on his right hand, and two abrasions (1/2 inch) to his right knee. In addition, his right index finger was swollen. Furthermore, Deputy Guzak had blood on the sleeves, and on the front of his uniform shirt (refer to pictures and CD, **Exhibit H**).

PHYSICAL EVIDENCE:

None

REVIEW OF VIDEO SURVIELLENCE:

On March 16, 2014, Sergeants Diez and Carrizosa contacted Witness [redacted] Witness [redacted] is the [redacted] of the [redacted] which is located on San Gabriel Boulevard, west of the incident. Witness [redacted] provided a DVD that contained eight separate video files extracted from a camera (camera #6) on his property (refer to DVD, **Exhibit I**). The first video file begins on March 15, 2014, at 2300 hours. The last video file ends on March 16, 2014, at 0100 hours. Only video file seven ("CAM06_20140316001614_2300677") and video file eight ("CAM06_20140316003840_2543721") document the actual incident.

The first video (video file #7, "CAM06_20140316001614_23006677") is date stamped 03/16/14 and recorded from camera #6. A dark color vehicle (apparently Suspect Bermudez' vehicle) entered the frame (00:33:38 minutes) driving northbound San Gabriel Boulevard and stopped blocking the driveway of the adjacent business ("Jack in the Box"). A individual (apparently Suspect Bermudez) exited the vehicle and walked southbound San Gabriel Boulevard and out of view of the camera (00:34:05 minutes)

The second video (video file #8, "CAM06_20140316003840_2543721") was also date stamped 03/16/14 and recorded from camera #6. A patrol vehicle (apparently Deputy Guzak's vehicle) entered the frame (00:38:40 minutes) driving northbound San Gabriel Boulevard and stops several feet behind the dark color vehicle. The flashing overhead lights on the patrol vehicle were activated. An individual (apparently Deputy Guzak) exited the driver's door of the patrol vehicle, approached the rear passenger side, and reentered the driver's door (00:38:51 minutes). Again, Deputy Guzak exited the driver's door of the patrol vehicle, approached the rear passenger side, and reentered the driver's door (00:39:07 minutes). Deputy Guzak approached the rear driver's side door and opened it (00:39:39 minutes). It appears that there was struggle next to the rear passenger door of the patrol vehicle. The struggle transitioned to the ground next to the vehicle, and it appeared that Deputy Guzak was on top of Suspect Bermudez who was lying on the ground (00:41:04 minutes).

A patrol vehicle entered the frame driving southbound San Gabriel Boulevard and stopped in the center turn lane (00:42:54 minutes). The patrol vehicle was positioned between the surveillance camera and the struggle on the ground, blocking the view of the camera. Two individuals (apparently Deputies [redacted] and [redacted] exited the patrol vehicle and assisted in the struggle. All three deputies (Deputies Guzak, [redacted] and [redacted] appear to be involved in a struggle on the ground with Suspect Bermudez. They were positioned on the ground next to the driver's side of the patrol vehicle. However, it is difficult to determine specific actions and/or individuals involved due to distance, night-time lighting, and glare from the overhead flashing lights of the patrol vehicle. The video further depicts additional deputies arriving at the location. Lastly, Los Angeles County Fire Department entered the frame (00:52:22 minutes) and arrived on scene.

Sergeant Diez and Sergeant Carrizosa went to the "Jack in the Box" (3038 San Gabriel Boulevard, Rosemead) to determine if there was surveillance video of the incident. The manager permitted Sergeant's Diez and Carrizosa to view their video surveillance system. There were no cameras that documented the incident.

INVESTIGATORS OBSERVATIONS:

On March 16, 2014, Sergeant Diez and Sergeant Carrizosa photographed the location (refer to pictures and CD, **Exhibit J**). San Gabriel Boulevard is a north/south street with two lanes in each direction, parking lanes on the east and west side, and a middle turn lane. Sergeant Diez observed dried blood on the northbound #2 lane, adjacent to the parking lane. The area of the dried blood was approximately 12 inches wide. East of the dried blood (northbound #2 lane) was a "Jack in the Box" restaurant and parking lot.

Directly west of the dried blood was "[redacted]" The surveillance camera at "[redacted] was positioned approximately [redacted] feet from the incident. Furthermore, the incident occurred under a street light positioned on the east curb line on San Gabriel Boulevard.

WEAPONS USED BY DEPUTY PERSONNEL:

Personal weapons: Hands

WEAPONS USED BY SUBJECT:

Personal weapons: Feet

PROPERTY DAMAGE:

None.

RADIO TRANSMISSION:

The LASD dispatch radio traffic is contained within six audio files (refer to **Exhibit K**). The dispatch audio begins, on March 16, 2014, at 12:57:47 hours ("Dispatch 1"). Deputy Guzak requested back-up, yelled at Suspect Bermudez, and provided his location. However, he provided the wrong location (Walnut Grove Avenue/Garvey Avenue). Approximately 30 seconds later (12:58:17 hours) Deputy Guzak broadcasted that he was involved in a fight, and again provided the wrong location (Walnut Grove Avenue/Garvey Avenue). SCC then updated the location and broadcasted that 53T1 (Deputy Guzak) was showing at San Gabriel and Garvey (12:59:52 hours). The audio continues with assisting units acknowledging the assistance. Lastly, unit #53A (Deputies [redacted] and [redacted] broadcasted they were Code-6 at the location (12:59:55 hours). The remaining audio files ("Dispatch 2" – "Dispatch 6") document the arrival of assisting units, fire department staging, and the field sergeant (unit #50S) directing units to shut down their Code-3 response.

> **IAB Note:** The incident occurred on San Gabriel Boulevard, between Garvey Avenue and Park Street, south of Emerson Place.

The LASD L-Tac radio traffic is contained within five audio files (refer to **Exhibit K**). The L-Tac audio begins, on March 16, 2014, at 01:00:02 hours ("L-tac 2"). All five audio files ("L-tac 1" – "L-tac 5") document Temple Station desk and field units coordinating their response and attempting to locate Deputy Guzak.

The Temple Station desk audio is contained within one audio file (refer to **Exhibit K**). The desk audio begins, on March 16, 2014, at 01:00:05 hours ("Desk"). It documented the call from San Gabriel PD dispatch to the Temple Station desk. San Gabriel PD dispatcher noted their caller said the location of the incident was San Gabriel

Boulevard/Emerson Place). The San Gabriel PD dispatcher stated she was sending units to the location (01:01:13 hours).

The San Gabriel PD dispatch radio traffic is contained in one audio file, and begins at 1257 hours, on March 16, 2014 (refer to **Exhibit D**). Witness [redacted] called San Gabriel PD dispatch. She stated a police officer needed assistance and was wrestling with a guy on the ground. While San Gabriel PD dispatch was in the process of transferring the call to Temple Sheriff's Station, Witness [redacted] stated another car (apparently referring to a patrol vehicle) had arrived, at which time the line was disconnected. San Gabriel PD dispatch immediately contacted Temple Station and informed them of the incident.

CHARGES FILED AND DISPOSITIONS:

Investigators Name: Temple Station Detective Craig Johnson #[redacted]

Court: El Monte Court

Charges: The District Attorney filed (1) felony charge for 11357(a) HS (Possession of Concentrated Cannabis) and (3) misdemeanor charges for 243(b) PC (Battery on a Peace Officer), 23152(e) CVC (DUI – drugs), and 11550(a) HS (Under the Influence of a Controlled Substance).

On May 22, 2014, Suspect Bermudez was convicted of 243(b) PC and 23152(e) CVC. He was sentenced to 10 days Los Angeles County Jail and 36 months summary probation.

WEATHER AND LIGHTING CONDITIONS:

The incident occurred in darkness at approximately 0100 hours. However, San Gabriel Boulevard was well illuminated with street lighting. The incident occurred directly under a street light located along the east curb line of San Gabriel Boulevard. Weather and lighting conditions were not a factor in this use of force.